



House of Representatives

General Assembly

File No. 365

February Session, 2006

Substitute House Bill No. 5750

House of Representatives, April 4, 2006

The Committee on Environment reported through REP. ROY of the 119th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE APPOINTMENT OF SPECIAL CONSERVATION OFFICERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 26-5 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The Commissioner of Environmental Protection shall appoint such
4 number of conservation officers as may be necessary for the efficient
5 execution of the duties of the department under section 26-6, as
6 amended. The commissioner may supplement the regular conservation
7 officer force by appointing as special conservation officer [or as
8 patrolman] any employee of the department or any sworn federal law
9 enforcement officer of the United States Fish and Wildlife Service or
10 National Marine Fisheries Service, provided such federal officer shall
11 not be considered an employee of the state and may only exercise such
12 officer's authority pursuant to said section 26-6 when working with a
13 full-time conservation officer. The commissioner may also appoint any
14 lake patrolman as a special conservation officer solely for the purpose

15 of enforcing boating laws within such patrolman's jurisdiction,
16 provided such patrolman shall not be considered an employee of the
17 state. Each conservation officer [,] or special conservation officer [or
18 patrolman] shall complete a police training course at the state police
19 training school or an equivalent course approved by the Commissioner
20 of Public Safety. Special conservation officers [and patrolmen] who are
21 employees of the department shall be entitled to the same benefits to
22 which conservation officers are entitled under the provisions of section
23 5-142, as amended; and such an appointment shall be deemed not to be
24 in conflict with any of the provisions of chapter 67. In addition to their
25 salaries, conservation officers [,] and special conservation officers [and
26 patrolmen] who are employees of the department shall be reimbursed
27 for all expenses incurred in performance of official duty.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	26-5
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ENV *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

The Out Years

None

OLR Bill Analysis**sHB 5750*****AN ACT CONCERNING THE APPOINTMENT OF SPECIAL CONSERVATION OFFICERS.*****SUMMARY:**

By law, the Department of Environmental Protection (DEP) commissioner can supplement the state's regular conservation officer force by appointing DEP employees as special conservation officers or as patrolman. The bill allows the commissioner to additionally supplement the force with any sworn law enforcement officer of the U.S. Fish and Wildlife Service or National Marine Fisheries Service. But it also specifies that these federal officers are not considered state employees and can only exercise the authority granted to conservation officers by state law when working with a full-time conservation officer.

By law, only DEP employees may be special conservation officers and they are entitled to the same benefits and reimbursement as regular conservation officers. The bill specifies that only special conservation officers who are DEP employees are entitled to these benefits.

The bill allows the commissioner to appoint any lake patrolman as a special conservation officer, solely to enforce boating laws within the patrolman's jurisdiction, provided he is not considered a state employee. By law, DEP must formulate training for lake patrolmen (CGS § 7-151b).

The bill also makes technical changes.

EFFECTIVE DATE: Upon passage

PATROLMEN

Under current law, each conservation officer, special conservation officer, or patrolman must complete a police training course at the state police training school or an equivalent course approved by the public safety commissioner. The bill eliminates this requirement for and references to patrolmen, which the department no longer uses.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 27 Nay 0 (03/20/2006)